

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1194 OF 2006
IN
CRIMINAL APPEAL NO.257 OF 2004

Babaji Mahadeo Bhogale ...Applicant

vs.

The State of Maharashtra ...Respondent

Mr.Raj Khude for the Applicant
Mr.A.S.Shitole A.P.P. for State

CORAM: A.S.OKA, J.
DATE : NOVEMBER 20, 2006.

P.C.:

1. Heard Advocate for the Applicant and the learned A.P.P. for the State. A prayer in this application by the Appellant is for grant of temporary bail for attending to the marriage of his son which is scheduled to be held on 25th November 2006. The learned A.P.P pointed out that after regular bail Application filed by the applicant was rejected by this Court, there was a delay in surrendering on the part of the Applicant. The learned Advocate for the applicant pointed out that though there was delay in surrendering after Application for bail was rejected, subsequently the Applicant had filed Application No.6482 of 2005 for grant of temporary bail. This Court granted temporary bail on 3rd October 2005 for a period of one week. He pointed out that bail was granted on account of demise of his father. The learned A.P.P on instructions of the Investigating Officer did not dispute that on the basis of the order dated 3rd October 2005, the Applicant surrendered

within the time granted by this Court.

2. In view of this factual position as regards compliance with the earlier order of temporary bail and considering the fact that the marriage of the son of the Applicant is to be solemnised on 25th November 2006, temporary bail deserves to be granted subject to stringent conditions. Hence, I pass the following order :

- i) The Applicant shall be enlarged on temporary bail from 24th November 2006 to 29th November 2006 (both days inclusive) in the sum of Rs.5,000/- (Rupees five thousand) with one or two sureties in the like amount and subject to deposit of Rs.20,000/- (Rupees twenty thousand) as cash surety.
- ii) Bail is granted subject to condition that while on bail, on every day (except the day of marriage) the Applicant will report at 6.00 p.m. to the office of D.C.B. C.I.D. Unit No.7, Ghatkopar, Mumbai.

JUDGE